

**NIQA**

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**U.S. District Court  
District of Colorado (Denver)  
CIVIL DOCKET FOR CASE #: 1:15-cv-01581-JLK**

Fayeulle et al v. Cigna Corporation et al  
Assigned to: Judge John L. Kane  
Cause: 18:1962 Racketeering (RICO) Act

16 3967  
Date Filed: 07/24/2015  
Date Terminated: 07/21/2016  
Jury Demand: Plaintiff  
Nature of Suit: 470 Racketeer/Corrupt  
Organization  
Jurisdiction: Federal Question

**Plaintiff**

**Barbara Fayeulle**  
*on behalf of all others similarly situated*

*TERMINATED: 06/29/2016*

represented by **D. Brian Hufford**  
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**Plaintiff**

**Matthew Gentrup**  
*on behalf of all others similarly situated*

*TERMINATED: 06/29/2016*

represented by **D. Brian Hufford**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Jason S. Cowart**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Jason Matthew Knott**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Carol A. Lietz**

represented by **Jason Matthew Knott**

(See above for address)

*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Cigna Corporation**

represented by **Carrie Jean Bodner**

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*TERMINATED: 09/29/2015*

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*TERMINATED: 09/29/2015*

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*ATTORNEY TO BE NOTICED*

**Defendant**

**Connecticut General Life Insurance  
Company**

represented by **Carrie Jean Bodner**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Edwin Packard Aro**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jerad A. West**  
(See above for address)  
*TERMINATED: 09/29/2015*

**Joshua Simon**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Lelia Kathleen Chaney**  
(See above for address)  
*TERMINATED: 09/29/2015*

**Warren Haskell**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Cigna Health and Life Insurance  
Company**

represented by **Carrie Jean Bodner**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Edwin Packard Aro**  
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**Jerad A. West**  
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**Joshua Simon**  
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**Lelia Kathleen Chaney**  
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*TERMINATED: 09/29/2015*

**Warren Haskel**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Columbine Chiropractic Plan, LLC**  
*TERMINATED: 06/29/2016*  
*doing business as*  
**Columbine Health Plan**  
*TERMINATED: 06/29/2016*

represented by **David S. Chipman**  
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*TERMINATED: 09/18/2015*

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*TERMINATED: 09/18/2015*

**Defendant**

**American Specialty Health  
Incorporated**

represented by **Andrew Z. Edelstein**  
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 ATTORNEY TO BE NOTICED

**Defendant**

**American Specialty Health Group,  
 Inc.**

represented by **Andrew Z. Edelstein**  
 (See above for address)  
 ATTORNEY TO BE NOTICED

**Elizabeth D. Mann**  
 (See above for address)  
 ATTORNEY TO BE NOTICED

**Zachariah J. DeMeola**  
 (See above for address)  
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/24/2015	<u>1</u>	COMPLAINT against Cigna Corporation, Cigna Health and Life Insurance Company, Columbine Chiropractic Plan, LLC, Connecticut General Life Insurance Company (Filing fee \$ 400, Receipt Number 1082-4521361) Attorney Jason Matthew Knott added to party Barbara Fayeulle(pty:pla), Attorney Jason Matthew Knott added to party Matthew Gentrup(pty:pla), filed by Barbara Fayeulle, Matthew Gentrup. (Attachments: # <u>1</u> Summons Cigna Corp., # <u>2</u> Summons Connecticut General Life Ins. Co., # <u>3</u> Summons CIGNA Health & Life Ins. Co., # <u>4</u> Summons Columbine Chiropractic Plan, LLC, # <u>5</u> Civil Cover Sheet)(Knott, Jason) (Entered: 07/24/2015)
07/27/2015	<u>2</u>	Case assigned to Judge John L. Kane and drawn to Magistrate Judge Kathleen M. Tafoya. Text Only Entry (sphil, ) (Entered: 07/27/2015)
07/27/2015	<u>3</u>	SUMMONS issued by Clerk. Magistrate Judge Consent form issued pursuant to Local Rule (Attachments: # <u>1</u> Magistrate Judge Consent Form) (sphil, ) (Entered: 07/27/2015)
08/13/2015	<u>4</u>	NOTICE of Entry of Appearance of <i>L. Kathleen Chaney and Jerad A. West</i> by Lelia Kathleen Chaney on behalf of Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company Attorney Lelia Kathleen Chaney added to party Cigna Corporation(pty:dft), Attorney Lelia Kathleen Chaney added to party Cigna Health and Life Insurance Company(pty:dft), Attorney Lelia Kathleen Chaney added to party Connecticut General Life Insurance Company(pty:dft) (Chaney, Lelia) (Entered: 08/13/2015)
08/14/2015		NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES: JARED WEST has failed to comply with D.C.COLO.LCivR5.1(a) and 4.3(c) of the Electronic Case Filing Procedures (Criminal Cases) which mandate that the s/ signature must match the filers name on the account for which the login and password are registered. Failure in the future to follow these procedures may lead to mandatory CM/ECF training, or action by the court. <u>4</u> Attorney has not signed the document or used his login. (Text Only Entry) (evana, ) (Entered: 08/14/2015)

		08/14/2015)
08/14/2015	<u>5</u>	NOTICE of Entry of Appearance by Jerad A. West on behalf of Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company Attorney Jerad A. West added to party Cigna Corporation(pty:dft), Attorney Jerad A. West added to party Cigna Health and Life Insurance Company(pty:dft), Attorney Jerad A. West added to party Connecticut General Life Insurance Company(pty:dft) (West, Jerad) (Entered: 08/14/2015)
08/14/2015	<u>6</u>	MOTION for Extension of Time to File Answer or Otherwise Respond by Defendants Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company. (West, Jerad) (Entered: 08/14/2015)
08/14/2015	<u>7</u>	CORPORATE DISCLOSURE STATEMENT identifying Corporate Parent Cigna Corporation for Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company. (West, Jerad) (Entered: 08/14/2015)
08/14/2015	<u>8</u>	NOTICE of Entry of Appearance by Warren Haskell on behalf of Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company Attorney Warren Haskell added to party Cigna Corporation(pty:dft), Attorney Warren Haskell added to party Cigna Health and Life Insurance Company(pty:dft), Attorney Warren Haskell added to party Connecticut General Life Insurance Company(pty:dft) (Haskel, Warren) (Entered: 08/14/2015)
08/14/2015	<u>9</u>	NOTICE of Entry of Appearance by Joshua Simon on behalf of Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company Attorney Joshua Simon added to party Cigna Corporation(pty:dft), Attorney Joshua Simon added to party Cigna Health and Life Insurance Company(pty:dft), Attorney Joshua Simon added to party Connecticut General Life Insurance Company(pty:dft) (Simon, Joshua) (Entered: 08/14/2015)
08/14/2015	<u>10</u>	ORDER Granting <u>6</u> the parties Joint Motion for Extension of Time to Answer or Otherwise Respond re <u>1</u> Complaint, Cigna Corporation answer due 10/5/2015; Cigna Health and Life Insurance Company answer due 10/5/2015; Columbine Chiropractic Plan, LLC answer due 10/5/2015; Connecticut General Life Insurance Company answer due 10/5/2015. Should any Defendant file a motion to dismiss, the Plaintiffs opposition(s) shall be due on or before Monday, November 9, 2015. Any replies by Defendants in support of any motions to dismiss shall be due on or before Tuesday, December 8, 2015, by Judge John L. Kane on 8/14/2015.(evana, ) (Entered: 08/14/2015)
08/19/2015	<u>11</u>	SUMMONS Returned Executed by All Plaintiffs. Cigna Corporation served on 7/29/2015, answer due 10/5/2015. (Knott, Jason) (Entered: 08/19/2015)
08/19/2015	<u>12</u>	SUMMONS Returned Executed by Barbara Fayeulle, Matthew Gentrup. Cigna Health and Life Insurance Company served on 7/29/2015, answer due 10/5/2015. (Knott, Jason) (Entered: 08/19/2015)
08/19/2015	<u>13</u>	SUMMONS Returned Executed by Barbara Fayeulle, Matthew Gentrup.

		Columbine Chiropractic Plan, LLC served on 7/30/2015, answer due 10/5/2015. (Knott, Jason) (Entered: 08/19/2015)
08/19/2015	<u>14</u>	SUMMONS Returned Executed by Barbara Fayeulle, Matthew Gentrup. Connecticut General Life Insurance Company served on 7/29/2015, answer due 10/5/2015. (Knott, Jason) (Entered: 08/19/2015)
08/19/2015	<u>15</u>	NOTICE of Entry of Appearance by Carrie Jean Bodner on behalf of Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company Attorney Carrie Jean Bodner added to party Cigna Corporation(pty:dft), Attorney Carrie Jean Bodner added to party Cigna Health and Life Insurance Company(pty:dft), Attorney Carrie Jean Bodner added to party Connecticut General Life Insurance Company(pty:dft) (Bodner, Carrie) (Entered: 08/19/2015)
08/20/2015	<u>16</u>	NOTICE of Entry of Appearance by Jason S. Cowart on behalf of All Plaintiffs Attorney Jason S. Cowart added to party Barbara Fayeulle(pty:pla), Attorney Jason S. Cowart added to party Matthew Gentrup(pty:pla) (Cowart, Jason) (Entered: 08/20/2015)
09/02/2015	<u>17</u>	NOTICE of Entry of Appearance of <i>Richard B. Benenson</i> by Richard B. Benenson on behalf of Columbine Chiropractic Plan, LLC Attorney Richard B. Benenson added to party Columbine Chiropractic Plan, LLC(pty:dft) (Benenson, Richard) (Entered: 09/02/2015)
09/02/2015	<u>18</u>	NOTICE of Entry of Appearance of <i>Kerry LeMonte</i> by Kerry Jean LeMonte on behalf of Columbine Chiropractic Plan, LLC Attorney Kerry Jean LeMonte added to party Columbine Chiropractic Plan, LLC(pty:dft) (LeMonte, Kerry) (Entered: 09/02/2015)
09/03/2015	<u>19</u>	NOTICE of Entry of Appearance by D. Brian Hufford on behalf of All Plaintiffs Attorney D. Brian Hufford added to party Barbara Fayeulle(pty:pla), Attorney D. Brian Hufford added to party Matthew Gentrup(pty:pla) (Hufford, D.) (Entered: 09/03/2015)
09/16/2015	<u>20</u>	NOTICE of Entry of Appearance and <i>Substitution of Counsel</i> by David S. Chipman on behalf of Columbine Chiropractic Plan, LLC Attorney David S. Chipman added to party Columbine Chiropractic Plan, LLC(pty:dft) (Chipman, David) Modified on 9/16/2015 ATTORNEY NOTIFIED TO FILE AS MOTION TO WITHDRAW AND ENTRY OF APPEARANCE (jhawk, ). (Entered: 09/16/2015)
09/16/2015	<u>21</u>	NOTICE of Entry of Appearance by Eric Job Seese on behalf of Columbine Chiropractic Plan, LLC Attorney Eric Job Seese added to party Columbine Chiropractic Plan, LLC(pty:dft) (Seese, Eric) (Entered: 09/16/2015)
09/16/2015	<u>22</u>	NOTICE of Entry of Appearance by David S. Chipman on behalf of Columbine Chiropractic Plan, LLC (Chipman, David) (Entered: 09/16/2015)
09/16/2015	<u>23</u>	MOTION to Withdraw as Attorney of <i>Record</i> by Defendant Columbine Chiropractic Plan, LLC. (Benenson, Richard) (Entered: 09/16/2015)
09/18/2015	24	MINUTE ORDER. The Court, having reviewed the Motion to Withdraw as Attorneys of Record <u>23</u> , GRANTS the Motion. Given that representation of



		Defendant Columbine Chiropractic Plan, LLC, will continue through Messrs. Chipman and Seese, Attorneys Richard B. Benenson and Kerry Jean LeMonte are authorized to WITHDRAW as counsel. Attorney Richard B. Benenson and Attorney Kerry Jean LeMonte SHALL be REMOVED from future electronic notifications in this case. Entered by Judge John L. Kane on 09/18/15. Text Only Entry(jhawk, ) (Entered: 09/18/2015)
09/22/2015	<u>25</u>	NOTICE of Entry of Appearance by Edwin Packard Aro on behalf of Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company Attorney Edwin Packard Aro added to party Cigna Corporation(pty:dft), Attorney Edwin Packard Aro added to party Cigna Health and Life Insurance Company(pty:dft), Attorney Edwin Packard Aro added to party Connecticut General Life Insurance Company(pty:dft) (Aro, Edwin) (Entered: 09/22/2015)
09/28/2015	<u>26</u>	MOTION to Withdraw as Attorney of Record by Defendants Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company. (West, Jerad) (Entered: 09/28/2015)
09/29/2015	<u>27</u>	MINUTE ORDER GRANTING Motion to Withdraw as Attorneys of Record <u>26</u> . Given that representation of the Cigna Defendants will continue through attorneys from Kirkland & Ellis, LLP, and Arnold & Porter, LLP, Attorneys Lelia Kathleen Chaney and Jerad A. West are authorized to WITHDRAW as counsel. Mr. West and Ms. Chaney SHALL be REMOVED from future electronic notifications in this case. Entered by Judge John L. Kane on 09/29/15. Text Only Entry(jhawk, ) (Entered: 09/29/2015)
10/05/2015	<u>28</u>	MOTION to Dismiss <i>Plaintiffs' Complaint</i> by Defendants Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company. (Haskel, Warren) (Entered: 10/05/2015)
10/05/2015	<u>29</u>	DECLARATION of <i>Carrie J. Bodner</i> regarding MOTION to Dismiss <i>Plaintiffs' Complaint</i> <u>28</u> by Defendants Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Haskel, Warren) (Entered: 10/05/2015)
10/05/2015	<u>30</u>	NOTICE OF CASE ASSOCIATION by Warren Haskel on behalf of Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company (Haskel, Warren) (Entered: 10/05/2015)
10/05/2015	<u>31</u>	MOTION to Dismiss for Failure to State a Claim by Defendant Columbine Chiropractic Plan, LLC. (Chipman, David) (Entered: 10/05/2015)
10/26/2015	<u>32</u>	AMENDED COMPLAINT against Cigna Corporation, Cigna Health and Life Insurance Company, Columbine Chiropractic Plan, LLC, Connecticut General Life Insurance Company, American Specialty Health Incorporated, American Specialty Health Group, Inc. Attorney Jason Matthew Knott added to party Carol A. Lietz(pty:pla), filed by Barbara Fayeulle, Matthew Gentrup, Carol A. Lietz. (Attachments: # <u>1</u> Summons American Specialty Health Incorporated, # <u>2</u> Summons American Specialty Health Group, Inc.)(Knott, Jason) (Entered: 10/26/2015)

10/26/2015	<u>33</u>	NOTICE of Filing Amended Pleading re <u>32</u> Amended Complaint,, by Plaintiffs Barbara Fayeulle, Matthew Gentrup, Carol A. Lietz (Attachments: # <u>1</u> Exhibit 1)(Knott, Jason) (Entered: 10/26/2015)
10/27/2015	<u>34</u>	SUMMONS issued by Clerk. (Attachments: # <u>1</u> Summons) (jhawk, ) (Entered: 10/27/2015)
11/09/2015	<u>35</u>	BRIEF in Opposition to <u>31</u> MOTION to Dismiss for Failure to State a Claim , <u>28</u> MOTION to Dismiss <i>Plaintiffs' Complaint</i> filed by Plaintiffs Barbara Fayeulle, Matthew Gentrup, Carol A. Lietz. (Knott, Jason) (Entered: 11/09/2015)
11/10/2015	<u>36</u>	AMENDED COMPLAINT ( <i>Second</i> ) against American Specialty Health Group, Inc., American Specialty Health Incorporated, Cigna Corporation, Cigna Health and Life Insurance Company, Columbine Chiropractic Plan, LLC, Connecticut General Life Insurance Company, filed by Carol A. Lietz, Matthew Gentrup, Barbara Fayeulle.(Knott, Jason) (Entered: 11/10/2015)
11/10/2015	<u>37</u>	NOTICE of Filing Amended Pleading re <u>36</u> Amended Complaint, by Plaintiffs Barbara Fayeulle, Matthew Gentrup, Carol A. Lietz (Attachments: # <u>1</u> Exhibit 1)(Knott, Jason) (Entered: 11/10/2015)
11/10/2015	<u>38</u>	Joint MOTION for Extension of Time to File Answer or Otherwise Respond re <u>36</u> Amended Complaint, <i>and Stipulation to Filing of Second Amended Complaint</i> , by Plaintiffs Barbara Fayeulle, Matthew Gentrup, Carol A. Lietz. (Knott, Jason) (Entered: 11/10/2015)
11/10/2015	<u>39</u>	MINUTE ORDER. The parties' Joint Motion for Entry of a Briefing Schedule <u>38</u> is GRANTED. Defendants shall have up to and including Thursday, January 14, 2016, to answer or otherwise respond to Plaintiff's Second Amended Complaint (Doc. 36). Should any Defendant file a motion to dismiss, Plaintiffs opposition(s) shall be due on or before Thursday, February 25, 2016, and any replies by Defendants shall be due on or before Monday, March 28, 2016. Entered by Judge John L. Kane on 11/10/15. Text Only Entry(jhawk, ) (Entered: 11/10/2015)
11/16/2015	<u>40</u>	SUMMONS Returned Executed by Carol A. Lietz, Matthew Gentrup, Barbara Fayeulle. American Specialty Health Group, Inc. served on 11/6/2015, answer due 11/27/2015. (Knott, Jason) (Entered: 11/16/2015)
11/16/2015	<u>41</u>	SUMMONS Returned Executed by Carol A. Lietz, Matthew Gentrup, Barbara Fayeulle. American Specialty Health Incorporated served on 11/4/2015, answer due 11/25/2015. (Knott, Jason) (Entered: 11/16/2015)
12/17/2015	<u>42</u>	NOTICE of Entry of Appearance by Zachariah J. DeMeola on behalf of American Specialty Health Group, Inc., American Specialty Health IncorporatedAttorney Zachariah J. DeMeola added to party American Specialty Health Group, Inc.(pty:dft), Attorney Zachariah J. DeMeola added to party American Specialty Health Incorporated(pty:dft) (DeMeola, Zachariah) (Entered: 12/17/2015)
12/17/2015	<u>43</u>	CORPORATE DISCLOSURE STATEMENT identifying Corporate Parent American Specialty Health Incorporated for American Specialty Health Group,



		Inc.. (DeMeola, Zachariah) (Entered: 12/17/2015)
12/17/2015	<u>44</u>	NOTICE of Entry of Appearance by Elizabeth D. Mann on behalf of American Specialty Health Group, Inc., American Specialty Health IncorporatedAttorney Elizabeth D. Mann added to party American Specialty Health Group, Inc. (pty:dft), Attorney Elizabeth D. Mann added to party American Specialty Health Incorporated(pty:dft) (Attachments: # <u>1</u> Exhibit)(Mann, Elizabeth) (Entered: 12/17/2015)
12/17/2015	<u>45</u>	NOTICE of Entry of Appearance by Andrew Z. Edelstein on behalf of American Specialty Health Group, Inc., American Specialty Health IncorporatedAttorney Andrew Z. Edelstein added to party American Specialty Health Group, Inc.(pty:dft), Attorney Andrew Z. Edelstein added to party American Specialty Health Incorporated(pty:dft) (Attachments: # <u>1</u> Exhibit) (Edelstein, Andrew) (Entered: 12/17/2015)
01/14/2016	<u>46</u>	MOTION to Dismiss <i>Plaintiffs' Second Amended Complaint</i> by Defendants Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company. (Haskel, Warren) (Entered: 01/14/2016)
01/14/2016	<u>47</u>	DECLARATION of <i>Carrie J. Bodner</i> regarding MOTION to Dismiss <i>Plaintiffs' Second Amended Complaint</i> <u>46</u> by Defendants Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Haskel, Warren) (Entered: 01/14/2016)
01/14/2016	<u>48</u>	MOTION to Dismiss <i>Second Amended Class Action Complaint and Joinder in Cigna's Motion to Dismiss</i> by Defendants American Specialty Health Group, Inc., American Specialty Health Incorporated. (Mann, Elizabeth) (Entered: 01/14/2016)
01/14/2016	<u>49</u>	MOTION to Dismiss <i>Second Amended Complaint</i> by Defendant Columbine Chiropractic Plan, LLC. (Chipman, David) (Entered: 01/14/2016)
01/21/2016	<u>50</u>	CORPORATE DISCLOSURE STATEMENT. (Seese, Eric) (Entered: 01/21/2016)
02/25/2016	<u>51</u>	BRIEF in Opposition to <u>46</u> MOTION to Dismiss <i>Plaintiffs' Second Amended Complaint</i> filed by Plaintiffs Barbara Fayeulle, Matthew Gentrup, Carol A. Lietz. (Knott, Jason) (Entered: 02/25/2016)
02/25/2016	<u>52</u>	BRIEF in Opposition to <u>48</u> MOTION to Dismiss <i>Second Amended Class Action Complaint and Joinder in Cigna's Motion to Dismiss</i> , <u>49</u> MOTION to Dismiss <i>Second Amended Complaint</i> filed by Plaintiffs Barbara Fayeulle, Matthew Gentrup, Carol A. Lietz. (Knott, Jason) (Entered: 02/25/2016)
03/28/2016	<u>53</u>	REPLY to Response to <u>48</u> MOTION to Dismiss <i>Second Amended Class Action Complaint and Joinder in Cigna's Motion to Dismiss</i> filed by Defendants American Specialty Health Group, Inc., American Specialty Health Incorporated. (Mann, Elizabeth) (Entered: 03/28/2016)
03/28/2016	<u>54</u>	REPLY to Response to <u>46</u> MOTION to Dismiss <i>Plaintiffs' Second Amended Complaint</i> filed by Defendants Cigna Corporation, Cigna Health and Life

		Insurance Company, Connecticut General Life Insurance Company. (Haskel, Warren) (Entered: 03/28/2016)
03/28/2016	<u>55</u>	DECLARATION of <i>Susan L. Lawson</i> regarding Reply to Response to Motion <u>54</u> by Defendants Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company. (Haskel, Warren) (Entered: 03/28/2016)
03/28/2016	<u>56</u>	DECLARATION of <i>Tara M. Lenaburg</i> regarding Reply to Response to Motion <u>54</u> by Defendants Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company. (Haskel, Warren) (Entered: 03/28/2016)
03/28/2016	<u>57</u>	DECLARATION of <i>David H. Venable Sr.</i> regarding Reply to Response to Motion <u>54</u> by Defendants Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company. (Haskel, Warren) (Entered: 03/28/2016)
03/28/2016	<u>58</u>	REPLY to Response to <u>49</u> MOTION to Dismiss <i>Second Amended Complaint</i> filed by Defendant Columbine Chiropractic Plan, LLC. (Chipman, David) (Entered: 03/28/2016)
06/29/2016	<u>59</u>	Memorandum Opinion and Order on Motions to Dismiss. For the reasons given above, Defendants Motions to Dismiss (Docs. <u>46</u> , <u>48</u> , & <u>49</u> ) are GRANTED IN PART and DENIED IN PART as discussed herein. In light of the filing of the SAC, the earlier motions to dismiss filed by Cigna and Columbine (Docs. <u>28</u> & <u>31</u> ) are DENIED AS MOOT. In particular, Counts I, II & III are dismissed in their entirety. Plaintiffs Fayeulle and Gentrup and Defendant Columbine are dismissed as parties to this action. Plaintiff Lietz may pursue a ERISA claim for benefits under §502(a)(1)(B) against the remaining Defendants (Count IV). Signed by Judge John L. Kane on 06/29/16.(jhawk, ) (Entered: 06/29/2016)
07/12/2016	<u>60</u>	Joint MOTION for Extension of Time to File Answer or Otherwise Respond re <u>36</u> Amended Complaint, by Defendants Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Haskel, Warren) (Entered: 07/12/2016)
07/12/2016	<u>61</u>	ORDER granting <u>60</u> Motion for Extension of Time to Answer or Otherwise Respond to the Amended Complaint. Defendants shall file their respective responses to Plaintiff's complaint on or before July 22, 2016. Signed by Judge John L. Kane on 07/12/16.(jhawk, ) (Entered: 07/12/2016)
07/21/2016	<u>62</u>	Joint MOTION to Change Venue by Defendants Cigna Corporation, Cigna Health and Life Insurance Company, Connecticut General Life Insurance Company. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Haskel, Warren) (Entered: 07/21/2016)
07/21/2016	<u>63</u>	ORDER granting <u>62</u> Motion to Change Venue. The Clerk of the Court shall transfer this case to the United States District Court for the Eastern District of Pennsylvania to be associated with American Chiropractic Association, et al. v. Connecticut General Life Insurance Co., et al., 12-cv- 7243 (E.D. Pa.). Signed



		by Judge John L. Kane on 07/21/2016.(athom, ) (Entered: 07/21/2016)
07/22/2016	64	Interdistrict Transmittal of Documents via e-mail to the United States District Court for the Eastern District of Pennsylvania at InterdistrictTransfer_PAED@paed.uscourts.gov. Text Only Entry (emare, ) (Entered: 07/22/2016)

PACER Service Center			
Transaction Receipt			
07/22/2016 13:40:41			
<b>PACER Login:</b>	ue0496:4286791:0	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:15-cv-01581-JLK
<b>Billable Pages:</b>	10	<b>Cost:</b>	1.00

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: Longmont, CO; **16 3967**

Address of Defendant: 1650 Market St, Phila, PA 19192

Place of Accident, Incident or Transaction: \_\_\_\_\_  
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?  
(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a)) Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities? Yes ☐ No ☒

RELATED CASE, IF ANY:  
Case Number: 12cv7243 Judge N I Q A Date Terminated: \_\_\_\_\_

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? Yes ☐ No ☐
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? Yes ☐ No ☐
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court? Yes ☐ No ☐
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? Yes ☐ No ☐

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☒ All other Federal Question Cases  
(Please specify) RICO

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases

(Please specify) \_\_\_\_\_

ARBITRATION CERTIFICATION

(Check Appropriate Category)

- I, \_\_\_\_\_, counsel of record do hereby certify:
- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
  - ☐ Relief other than monetary damages is sought.

DATE: \_\_\_\_\_

Attorney-at-Law

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

X DATE: 7/22/16 X Steve Tomas  
Attorney-at-Law

Deputy Clerk  
Attorney I.D.#

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CASE MANAGEMENT TRACK DESIGNATION FORM**

Barbara Fayeulle and  
Matthew Gentrop, on behalf of themselves CIVIL ACTION  
and all others similarly situated

Cigna Corporation, et al.

NO. **16 3967**

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ( )
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ( )
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

Date 7/22/16

Steve Tomas  
Attorney-at-law

Deputy Clerk  
Attorney for

Telephone

FAX Number

E-Mail Address

**NQA**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 15-cv-01581-JLK

CAROL A. LIETZ, on behalf of herself and all others similarly situated,

**16**

**3967**

Plaintiffs,

v.

CIGNA CORPORATION,  
CONNECTICUT GENERAL LIFE INSURANCE COMPANY,  
CIGNA HEALTH AND LIFE INSURANCE COMPANY,  
AMERICAN SPECIALTY HEALTH INCORPORATED,  
AMERICAN SPECIALTY HEALTH GROUP, INC.,

Defendants.

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**ORDER GRANTING  
JOINT MOTION TO TRANSFER VENUE**

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Pending before the Court is the parties' Joint Motion to Transfer Venue pursuant to 28 U.S.C. § 1404(a) to the United States District Court for the Eastern District of Pennsylvania. The instant motion indicates that all parties to this action consent to the transfer, the remaining claim in this action had originally been filed in the Eastern District of Pennsylvania, that Defendants either reside in the Eastern District of Pennsylvania or conduct significant business there, that many witnesses are located there or within close proximity and none are likely to be located in Colorado, and the parties' ability to coordinate discovery between this action and *American Chiropractic Association, et al. v. Connecticut General Life Insurance Co., et al.*, 12-cv-7243 (E.D. Pa.) will preserve judicial resources, as the parties (who share legal counsel in both cases) indicate that both



cases involve the relationship between Defendants Cigna Corporation, Connecticut General Life Insurance Company, and Cigna Health and Life Insurance Company on one hand and Defendants American Specialty Health Incorporated and American Specialty Health Group, Inc. on the other. As such, the Court finds that the case might have been brought in the Eastern District of Pennsylvania, and the competing equities weigh heavily in favor of transfer. The Court further finds that the parties have satisfied their burden to establish that the existing forum is inconvenient. The Court accordingly GRANTS the joint motion (Doc. 62).

Accordingly, the Clerk of the Court shall transfer this case to the United States District Court for the Eastern District of Pennsylvania to be associated with *American Chiropractic Association, et al. v. Connecticut General Life Insurance Co., et al.*, 12-cv-7243 (E.D. Pa.).

**IT IS SO ORDERED.**

**DATED July 21, 2016**

  
\_\_\_\_\_  
JOHN L. KANE  
SENIOR U.S. DISTRICT JUDGE